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39 Arizona Corporation Commission
DOCKETED

MAR 30 2001

BEFORE THE POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE

DOCKETED BY

sd

IN THE MATTER OF THE APPLICATION OF)
 GILA BEND POWER PARTNERS, AND ITS)
 ASSIGNS, IN CONFORMANCE WITH THE)
 REQUIREMENTS OF ARIZONA REVISED)
 STATUTES 40-360.03 AND 40-360.06, FOR A)
 CERTIFICATE OF ENVIRONMENTAL)
 COMPATIBILITY AUTHORIZING)
 CONSTRUCTION OF ONE 500 KV)
 TRANSMISSION LINE AND THE)
 WATERMELON SWITCHYARD IN MARICOPA)
 COUNTY, ARIZONA, ORIGINATING AT THE)
 PROPOSED GILA BEND POWER PARTNERS)
 POWER PROJECT LOCATED NORTHWEST OF)
 THE CENTER OF THE TOWN OF GILA BEND,)
 ARIZONA (SECTION 19, TOWNSHIP 5 SOUTH,)
 RANGE 5 WEST G&SRB&M) AND)
 TERMINATING AT THE PROPOSED)
 WATERMELON SWITCHYARD (SECTION 22,)
 TOWNSHIP SOUTH, RANGE 4 WEST) A
 DISTANCE OF APPROXIMATELY 9 MILES.)

CASE NO. 109 L-00000V-01-0109
 DOCKET NO.: L-00000V-00-0109

JOINT STATEMENT OF
GILA BEND POWER PARTNERS
AND ARIZONA CORPORATION
STAFF RE FORM OF ORDERAZ CORP COMMISSION
DOCUMENT CONTROL

2001 MAR 30 P 4: 16

RECEIVED

Gila Bend Power Partners ("Gila Bend") and the Utilities Division staff of the Arizona Corporation Commission ("Staff") jointly file this form of order to assist the Arizona Power Plant and Transmission Line Siting Committee (the "Committee") in ruling on Gila Bend's Application for Certificate of Environmental Compatibility ("Certificate").

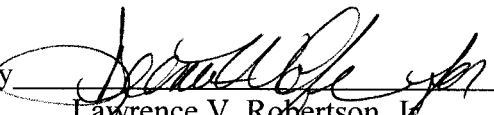
The form of order contains five conditions. A portion of Condition #5 is contested. Gila Bend and Staff request that the Committee approve the form of order as attached, consistent with the Committee's decision on Condition #5. With respect to Condition #5, Gila Bend supports a seven year expiration of the authorization to construct. Staff supports a five year expiration.

RESPECTFULLY SUBMITTED this *30th* day of March, 2001.ARIZONA CORPORATION COMMISSION
UTILITIES DIVISION STAFF

By

Teena Wolfe
Teena Wolfe, AttorneyArizona Corporation Commission
Legal Division

1 MUNGER CHADWICK, PLC

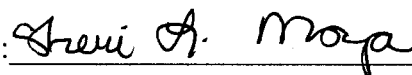
2
3 By 
4 Lawrence V. Robertson, Jr..
5 Munger Chadwick, PLC
6 National Bank Plaza
7 333 N. Wilmot, Suite 300
8 Tucson, AZ 85711
9 Attorneys for Gila Bend Power
10 Partners

11 Pursuant to R14-3-204
12 the ORIGINAL and
13 twenty-five copies were
14 filed this 30th day of
15 March, 2001 with:

16 Docket Control
17 Arizona Corporation Commission
18 1200 West Washington Street
19 Phoenix, Arizona 85007

20 COPY of the foregoing mailed
21 this 25th day of March, 2001, to:

22 Karen L. Peters
23 Justin D. Steltenpohl
24 Squire, Sanders & Dempsey, LLP
25 Two Renaissance Square, 27th Floor
26 40 North Central Avenue
27 Phoenix, AZ 85004-4440
28 Attorneys for Applicant

By: 

1 Lawrence V. Robertson, Jr. (001709)
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5 Tucson, Arizona 85711
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7 E-Mail: lvrobertson@mungerchadwick.com
8 Attorneys for: Gila Bend Power Partners, L.L.C.

9
10 **BEFORE THE ARIZONA POWER PLANT AND**
11 **TRANSMISSION LINE SITING COMMITTEE**
12

13 IN THE MATTER OF THE APPLICATION OF)
14 GILA BEND POWER PARTNERS AND ITS) CASE NO. 109
15 ASSIGNS IN CONFORMANCE WITH THE)
16 REQUIREMENTS OF ARIZONA REVISED) DOCKET NO.: L-00000V-01-0109
17 STATUTES 40-360.03 AND 40-360.06 FOR A)
18 CERTIFICATE OF ENVIRONMENTAL)
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22 WATERMELON SWITCHYARD IN MARICOPA)
23 COUNTY, ARIZONA ORIGINATING AT THE)
24 PROPOSED GILA BEND POWER PARTNERS)
25 POWER PROJECT LOCATED NORTHWEST)
26 OF THE CENTER OF THE TOWN OF GILA)
27 BEND, ARIZONA (SECTION 19, TOWNSHIP)
28 5 SOUTH, RANGE 5 WEST, G&SRB&M) AND)
TERMINATING AT THE PROPOSED)
WATERMELON SWITCHYARD SECTION 22,)
TOWNSHIP 5 SOUTH, RANGE 4 WEST, A)
DISTANCE OF APPROXIMATELY 9 MILES.)

23 **DECISION OF THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING**
24 **COMMITTEE AND CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY.**

25 Pursuant to the notice given as provided by law, the Arizona Power Plant and
26 Transmission Line Siting Committee ("Committee") held public hearings at the Best Western
27 Executive Park Hotel, 1100 North Central Avenue, Phoenix, Arizona, on March 12, 2001, and at
28

1 the Phoenix Corporate Center, Room 280, 3003 North Central Avenue, Phoenix, Arizona on
2 April 5, 2001, in conformance with the requirements of Arizona Revised Statutes §40-360 et
3 seq., for the purpose of receiving evidence and deliberating upon the Application of Gila Bend
4 Power Partners, L.L.C. and its assigns ("Applicant") for a Certificate of Environmental
5 Compatibility in the above-captioned case.

6 The following members and designees of members of the Committee were present for the
7 evidentiary presentation during the March 12, 2001 hearing, and/or for the April 5, 2001 hearing
8 and deliberations and vote on the Application:

10 Laurie A. Woodall	Chair, and Designee for Arizona Attorney General Janet Napolitano
12 Ray Williamson	Arizona Corporation Commission
13 Richard Tobin	Arizona Department of Environmental Quality
14 George Campbell	Appointed Member
15 Jeff McGuire	Appointed Member
16 Mike Palmer	Appointed Member
17 Sandie Smith	Appointed Member
18 Wayne Smith	Appointed Member

20
21 The Applicant was represented by Lawrence V. Robertson, Jr. of Munger Chadwick,
22 P.L.C. An appearance of record was also entered for Karen L. Peters, Squire, Sanders &
23 Dempsey, L.L.P.. Staff of the Arizona Corporation Commission ("Commission") was
24 represented by its counsel, Teena Wolfe. There were no intervenors.

25 At the conclusion of the public hearings, after consideration of (i) the Application and the
26 evidence presented during the public hearings, and (ii) the legal requirements of Arizona Revised
27 Statutes §§40-360 to 40-360.13 and A.A.C. R14-3-213, upon motion duly made and seconded,
28

1 the Committee voted to grant Applicant the following Certificate of Environmental
2 Compatibility (Case No. 109).

3 Applicant is hereby granted a Certificate of Environmental Compatibility for authority to
4 construct the following facilities, as requested in the Application: (i) a 500 kV transmission line,
5 (ii) 500 kV switchyard and (iii) a 500 kV interconnection. This Certificate authorizes the
6 attachment of an existing 230 kV circuit on the new 500 kV structures, which will be designed
7 and constructed to accommodate a future upgrade of the 230 kV circuit to 500 kV. This
8 Certificate authorizes (but does not require) that upgrade at a future date. If in the future a
9 portion of the existing 230 kV line is relocated, this Certificate authorizes (but does not require)
10 the replacement of that portion of the existing 230 kV line with a 500 kV line.

11 Applicant's 500 kV transmission line will originate at Applicant's previously authorized
12 Gila Bend generating station (Section 19, Township 5 South, Range 5 West, G&SRB&M), and
13 follow an easterly alignment for approximately 9 miles, terminating at Applicant's proposed
14 Watermelon Switchyard (Section 22, Township 5 South, Range 4 West, G&SRB&M). The 500
15 kV transmission line alignment will parallel and be adjacent to the south side of Watermelon
16 Road for approximately 7.5 miles, and the remaining 1.50 miles will extend in an easterly
17 direction from that point where Watermelon Road terminates at State Highway 85. The
18 transmission line will consist of steel monopole structures designed and constructed to
19 accommodate two 500 kV circuits. Where the Applicant's proposed transmission line is
20 coincident with Arizona Public Service Company's ("APS") existing Liberty to Gila Bend 230
21 kV transmission line, APS' Liberty to Gila Bend 230 kV transmission line will occupy one
22 circuit position of the Applicant's double circuit structures and the existing structures currently
23 supporting APS' Liberty to Gila Bend 230 kV transmission line will be removed. The routing,
24 design, height and material composition of the 500 kV and 230 kV transmission line facilities
25 will be as testified to by Applicant's witness Walther at the April 5, 2001 hearing, and as
26 depicted in Exhibit "A" attached hereto.

27 The 500 kV Watermelon Switchyard will be located on approximately 40 acres in the SW
28 1/4 of Section 22, Township 5 South, Range 4 West, G&SRB&M. It will serve both as the

1 termination point of the 500 kV transmission line hereby certificated, and as the point of
2 interconnection of that transmission line with the two 500 kV transmission lines previously
3 certificated to APS in Case No. 102. The design, height and material composition of the
4 Watermelon Switchyard facilities shall be as set forth in the Application and supporting exhibits.

5 The 500 kV interconnection at the Watermelon Switchyard will ultimately interconnect
6 Applicant's Gila Bend electric generation station with the Hassayampa Switchyard via the two
7 500 kV transmission lines certificated by the Committee in Case No. 102 and the 500 kV
8 transmission line certificated in Case Nos. 24 and 31. The details of these interconnections will
9 be the subject of contractual arrangements to be entered into between Applicant and APS, and
10 Applicant and the Salt River Project ("SRP"), respectively.

11 The issuance and approval of this Certificate of Environmental Compatibility by the
12 Committee and the Commission will satisfy Condition No. 15 of the Certificate of
13 Environmental Compatibility granted to Applicant in Case No. 106.

14 This Certificate of Environmental Compatibility is granted upon the following conditions.

- 15
16
- 17 1. Applicant shall comply with all existing applicable air and water
18 pollution control standards and regulations, and with all existing
19 applicable ordinances, master plans and regulations of the State of
20 Arizona, the County of Maricopa, the United States and any other
21 governmental entities having jurisdiction.
 - 22 2. Applicant shall provide the Commission with copies of any
23 transmission agreements it ultimately enters into with APS and
24 SRP, respectively, within 30 days of execution of those
25 agreements.
 - 26 3. In connection with the final design and construction of the
27 transmission line and switchyard facilities herein authorized,
28 applicant shall:
 - A. Use existing access;
 - B. Minimize vegetation clearing;
 - C. Revegetate or restore areas of construction disturbance;
 - D. Use non-specular conductor and dulled structures;
 - E. Consolidate proposed 500 kV and existing 230 kV

- 1 transmission line facilities on single supporting
2 structures (pursuant to the request of the Town of
3 Gila Bend and members of the public);
4 F. Where possible, match the transmission supporting
5 structure height and span distance with those APS'
6 Gila River 500 kV transmission line facilities
7 previously authorized in Case No. 102 (pursuant to
8 the request of the Town of Gila Bend);
9 G. Locate the transmission line supporting structures
10 so that the line spans the archaeological site
11 identified in Applicant's cultural resources study;
12 H. Complete the native plant survey prior to
13 commencement of construction, and, if necessary,
14 develop a plant salvage program;
15 I. Landscape the Watermelon Switchyard with arid
16 plant materials; and
17 J. Construct an 8' to 10' earthen berm on the west side
18 of the Watermelon Switchyard in the location
19 depicted in Applicant's hearing Exhibit A-4.

20 4. Applicant shall add to its Gila Bend Power Partners Project
21 website information advising interested persons how they may
22 express concerns or submit complaints to Applicant or the Arizona
23 Corporation Commission when they believe the transmission line
24 or switchyard facilities herein authorized are creating noise in
25 excess of applicable HUD standards or causing interference with
26 communications signals in excess of applicable FCC standards.
27 Such complaints as may be filed with the Commission shall be
28 processed pursuant to those provisions of A.A.C. R14-2-212(A)
and (C) applicable to service disputes.

1 5. This authorization to construct the aforementioned facilities shall
2 expire **seven (7) years** from the date this Certificate of
3 Environmental Compatibility is approved by the Commission,
4 unless construction is completed to the point that the 500 kV
5 transmission line and 500 kV switchyard are capable of operating
6 by that time; provided, however, that prior to such expiration
7 Applicant may request that the Commission extend this time
8 limitation.

9 The Committee has reviewed Arizona Corporation Commission Decision No. 46865
10 (Feb. 23, 1976), which granted a Certificate of Environmental Compatibility for the Liberty to
11 Gila Bend 230 kV transmission line in Case No. 26. The Committee finds as a matter of fact,
12

1
2 and concludes as a matter of law, that implementation of the above-described routing and design
3 of Applicant's 500 kV transmission line, and the related effect on the current routing and design
4 of APS' existing 230 kV transmission line, would be consistent with the Certificate of
5 Environmental Compatibility issued in Decision No. 46865 and would not require an additional
6 Certificate of Environmental Compatibility. This finding of fact and conclusion of law imposes
7 no obligation on APS, the owner of the Liberty to Gila Bend 230 kV transmission line.

8 GRANTED this ____ day of _____, 2001.

9
10 Arizona Power Plant and Transmission Line
11 Siting Committee

12 By:
13 Laurie A. Woodall, Chair
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3 **ORDER OF ARIZONA CORPORATION COMMISSION AFFIRMING AND**
4 **APPROVING CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY**

5 Having considered the foregoing decision of the Arizona Power Plant and Transmission
6 Line Siting Committee in light of the decision-making factors specified in Arizona Revised
7 Statutes §40-360.06, and, pursuant to Arizona Revised Statutes §40-360.07(c), having balanced in
8 the broad public interest the need for an adequate, economical and reliable supply of electric
9 power with the desire to minimize the effect thereof on the environment and ecology of Arizona,
10 it is the decision of this Commission that the Certificate of Environmental Compatibility granted
11 by the Committee on _____, 2001 in Case No. 109 should be, and hereby is, affirmed
12 and approved.

13
14 **BY ORDER OF THE ARIZONA CORPORATION COMMISSION**

15
16
17 _____
CHAIRMAN

COMMISSIONER

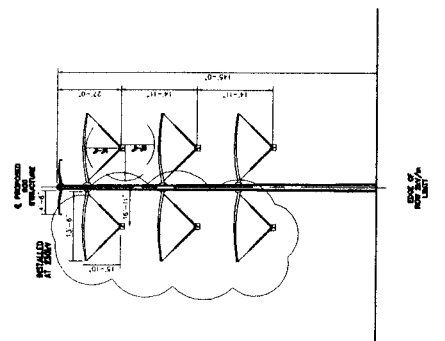
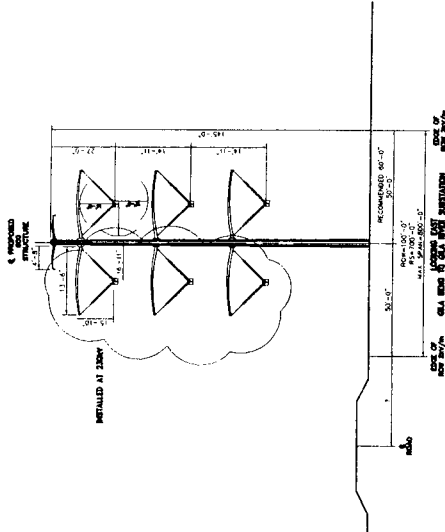
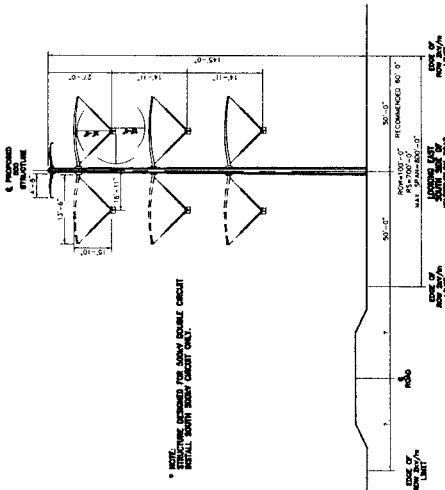
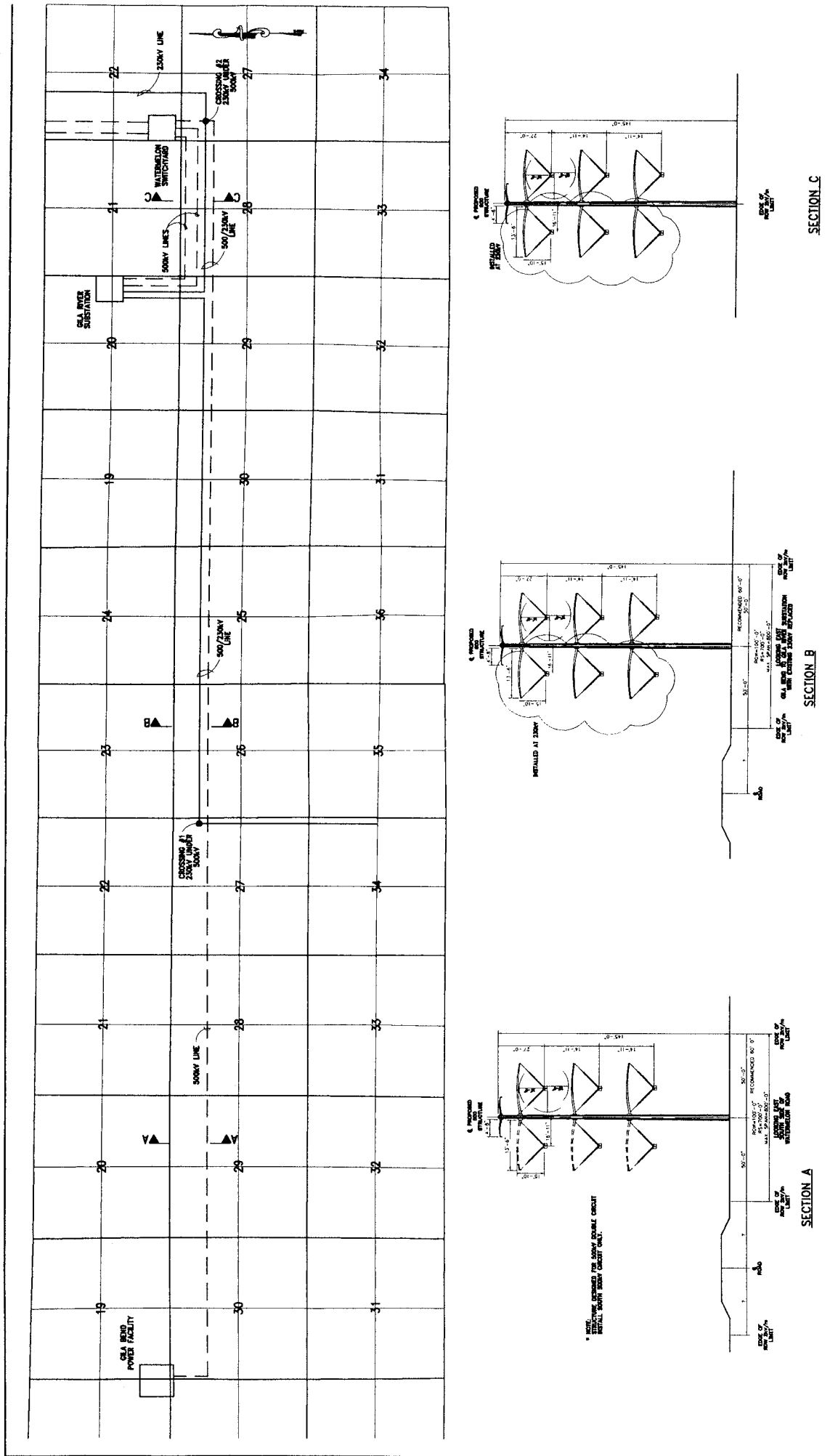
COMMISSIONER

18
19 IN WITNESS WHEREOF, I, BRIAN C. McNEIL,
20 Executive Secretary of the Arizona Corporation
21 Commission, have hereunto, set my hand and caused
the official seal of this Commission to be affixed at the
Capitol, in the City of Phoenix, this _____ day of
, 2001.

22
23
24 _____
BRIAN C. McNEIL
Executive Secretary

25
26
27
28 Dissent:

Exhibit A



				<p>500KV Transmission Line Gila Bend Power Project to Gila Bend East Switchyard Right of Way Design</p>	
4	3	2	1	0	NO
DATE	DATE	DATE	DATE	DATE	DATE
3/28/03	3/28/03	3/28/03	3/28/03	3/28/03	3/28/03
DESIGNED	CHECKED	APPROVED	DATE	SCALE	FILE NO.
TVL	GER	GER	3/28/03	1:1000=1	P-B-M224
REVISION	REVISION	REVISION	REVISION	REVISION	REVISION
NO	NO	NO	NO	NO	NO